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Attorneys for Defendant  
ALEXANDER YAROSHINSKY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE CONNETICS CORPORATION  
SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS.

CASE NO. 3:07-cv-02940-SI

**CLASS ACTION**

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF DR. YAROSHINSKY'S  
REPLY IN SUPPORT OF HIS MOTION  
TO DISMISS**

Date: October 19, 2007  
Courtroom: 10  
Time: 9:00 a.m.

The Honorable Susan Illston

**I. INTRODUCTION**

Pursuant to the Federal Rules of Evidence Rule 201 (“Rule 201”), Defendant Alexander Yaroshinsky hereby requests that this Court take judicial notice of the document identified below in support of Dr. Yaroshinsky’s Reply in support of his Motion to Dismiss Lead Plaintiff’s Amended Consolidated Class Action Complaint.

**II. JUDICIAL NOTICE IS APPROPRIATE**

Rule 201 allows a court to take judicial notice of a fact “not subject to reasonable dispute in that it is . . . capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b). Dr. Yaroshinsky requests judicial notice of Connetics’ Corporation’s historical stock prices and trading volume. In securities fraud cases, courts may take judicial notice of stock price data, including charts derived from that data. *In re NAHC, Inc. Sec. Litig.*, 306 F.3d 1314, 1331 (3d Cir. 2002). Therefore, judicial notice of these items is appropriate.

**III. REQUEST FOR JUDICIAL NOTICE**

Based on the above and pursuant to Rule 201, Dr. Yaroshinsky hereby requests that the Court take judicial notice of the following documents in ruling on his motion to dismiss:

Connetics' historic stock prices and trading volume between January 1, 2005 and July 1, 2005 as reported on Lexis/Nexis, attached as Exhibit A to the Declaration of Alysson Snow In Support Of Dr. Yaroshinsky’s Reply In Support Of His Motion to Dismiss.

Respectfully submitted,

Dated: October 4, 2007

DLA PIPER US LLP

By /s/ Alysson Snow  
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 Attorneys for Defendant ALEXANDER  
 YAROSHINSKY